



THIS WEEK  
State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-1463/01 P2

ARG:cjs:pg

in 3/2

stays RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA✓  
internal refs✓

Reyes cat.

1 AN ACT *to repeal* 347.21 (1m), 347.22 and 347.24 (1) (am); *to renumber and*  
2 *amend* 100.47 (2) (c) and 347.24 (1) (c); *to amend* 347.06 (3), 347.21 (1) and (2),  
3 347.24 (title), 347.24 (1) (a), 347.24 (1) (b), 347.245 (1), (4) and (5), 347.27 (2),  
4 347.27 (3), 348.08 (2) and 895.495 (1) (b); and *to create* 100.47 (2) (c) 2., 347.225  
5 and 347.27 (1m) of the statutes; **relating to:** lighting and visibility marking  
6 requirements for agricultural vehicles and agricultural implements operated  
7 or towed upon a highway, extending the time limit for emergency rule  
8 procedures, providing an exemption from emergency rule procedures,  
9 providing an exemption from rule-making procedures, and requiring the  
10 exercise of rule-making authority.

***Analysis by the Legislative Reference Bureau***

Under current law, farm tractors and implements of husbandry are exempt from vehicle registration by the Department of Transportation (DOT). A "farm tractor" is defined as a motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry. An "implement of husbandry" is defined, with limited variation, as a vehicle or piece of equipment or machinery designed for agricultural purposes, used

exclusively in the conduct of agricultural operations, and used principally off the highway.

Under current law, vehicle equipment requirements generally do not apply to vehicles that are not operated upon or occupying a highway, and lighting requirements applicable to most vehicles operated upon a highway do not apply to farm tractors, self-propelled farm implements, or implements of husbandry except to the extent the requirement is specifically imposed on these vehicles. However, whenever a vehicle is required to be equipped with headlamps, tail lamps, or clearance lamps, no person may operate the vehicle upon a highway during hours of darkness unless the required lamps are lighted. In addition, if any vehicle is required to be equipped with lamps or reflectors, the operator of the vehicle must keep all such lamps and reflectors reasonably clean and in proper working condition at all times. If a vehicle is operated on a highway without lighting equipment required by law, both the operator and the owner, if the owner knowingly causes or permits the vehicle to be so operated, may be guilty of a violation.

Current law imposes various lighting requirements on different types of agricultural-related vehicles, including the following:

1. No person may operate or park a farm tractor or a self-propelled farm implement upon a highway during hours of darkness unless the farm tractor or farm implement is equipped with the same type of headlamps and tail lamps required of other vehicles, these lamps are lighted, and no lamp of a color other than red is showing to the rear.

2. No person may operate on a highway during hours of darkness any implement of husbandry manufactured after January 1, 1984, that is not an all-terrain vehicle unless the implement of husbandry is equipped with the equivalent of at least two lighted headlamps and two lighted tail lamps or, as an alternative to the tail lamps, two red reflectors on the rear of the implement of husbandry. Also, no person may operate on a highway during hours of darkness any implement of husbandry that extends four feet or more to the left of the center line of its towing vehicle unless the implement is equipped with an amber reflector on the left side, facing forward, to mark the extreme width of the implement of husbandry.

3. Under an exception to the general prohibition that a person may not operate on a highway, without a permit, a vehicle towing more than one other vehicle, a person may operate a farm tractor drawing two trailers used primarily as implements of husbandry in connection with seasonal agricultural activities or one such trailer and any other implement of husbandry (farm tractor agricultural train) if the operation of the combination of vehicles is exclusively for a farming operation and certain other requirements are satisfied. Another exception allows a person to operate a motor truck or truck tractor to draw two trailers transporting empty pressurized or nonpressurized tanks used for hauling or storing liquid agricultural fertilizer or two implements of husbandry, including two empty trailers used primarily as implements of husbandry in connection with seasonal agricultural activities (truck tractor agricultural train), if certain requirements are satisfied. No person may operate on a highway during hours of darkness any farm tractor agricultural train or truck tractor agricultural train unless each side of every vehicle

in the train is equipped with at least one red lamp or at least one red reflector or, for truck tractor agricultural trains only, at least one slow moving (SMV) vehicle emblem. In addition, no person may operate on a highway, at times other than during hours of darkness, any farm tractor agricultural train without a red flag on each rear corner of the rearmost vehicle in the train.

4. No person may operate on a highway, at any time, any vehicle or equipment that usually travels at speeds of less than 25 miles per hour without an SMV emblem on the most practicable visible rear area of the vehicle or combination of vehicles unless an SMV emblem on a towing vehicle is visible from the rear. This SMV emblem requirement is in addition to any other required lighting devices, and no person may display an SMV emblem on a vehicle except for the purpose for which the emblem is required. In lieu of the SMV emblem, a vehicle or combination of vehicles may be equipped with a yellow or amber flashing light on the left rear of the vehicle. DOT is required to establish by rule standards and specifications for the design and positioning of SMV emblems on vehicles and the standards and specifications must conform, so far as practicable, with those approved by the American Society of Agricultural Engineers.

5. No person may park or leave a vehicle (including a farm tractor, self-propelled farm implement, or implement of husbandry) standing, whether attended or unattended, upon a roadway or the shoulder immediately adjacent thereto during hours of darkness unless the vehicle is lawfully parked within a city or village or is parked or standing where there is sufficient artificial light to render it visible from a distance of 500 feet and, in either case, is equipped with at least one red reflector on the rear to the side of the vehicle closest to passing traffic or unless the vehicle is equipped with lighted lamps to the side of the vehicle closest to passing traffic visible from a distance of 500 feet showing a white or amber light visible to the front and a red light visible to the rear and, if equipped with two parking lamps and two tail lamps, these lamps are lighted. In addition, any lighted headlamp must be dimmed.

Current law also establishes certain visibility and mounting standards for all of these lighting and visibility marking devices.

This bill generally replaces current law relating to lighting and visibility marking requirements for farm tractors, self-propelled implements of husbandry, and self-propelled farm implements (agricultural vehicles) and implements of husbandry and farm implements that are not self-propelled but intended to be used with a motor vehicle (agricultural implements) with new, similar requirements ~~for these vehicles and implements~~. The bill creates the following requirements:

1. An agricultural vehicle manufactured on or after approximately one year after the bill's effective date may not be operated on a highway unless the vehicle is equipped with at least two headlamps, two tail lamps, at least two warning lamps, at least two direction signal lamps and two additional auxiliary direction signal lamps, two red rear reflectors and, if the vehicle is more than 12 feet wide, specified strips of visibility material (tape), an SMV emblem (for most vehicles), and, if the vehicle is equipped or designed to tow an agricultural implement requiring lighting

that are manufactured on or after approximately one year after the bill's effective date

*manufactured on or after approximately one year  
after the bill's effective date*

devices, an electrical connection sufficient to activate any lighting devices on the agricultural implement.

2. An agricultural vehicle manufactured before approximately one year after the bill's effective date may not be operated on a highway during hours of darkness unless the vehicle is equipped with at least two headlamps, at least one tail lamp, at least two warning lamps, two red rear reflectors, and, if the vehicle is more than 12 feet wide, specified strips of visibility material.

② 3. An agricultural implement manufactured on or after approximately one year after the bill's effective date may not be towed on a highway unless the implement, if the implement falls within certain size and configuration criteria or obscures the visibility of certain lamps on the towing vehicle, is equipped with some or all of the following: tail lamps, warning lamps, directional signal lamps and additional auxiliary direction signal lamps, strips of visibility material, red reflectors, an SMV emblem, and an electrical device to connect with the towing vehicle sufficient to activate any lighting devices required on the agricultural implement.

4. An agricultural implement manufactured before approximately one year after the bill's effective date that falls within certain size and configuration criteria or obscures the visibility of certain lamps on the towing vehicle may not be towed on a highway during hours of darkness unless the implement is equipped with some or all of the following: the lighting devices specified in item 3., certain strips of visibility material, or certain fixed or moveable auxiliary lamps.

③ 5. An agricultural vehicle or agricultural implement may not be parked or left standing on a roadway or shoulder during hours of darkness unless the vehicle or implement is equipped as required under items 1. <sup>and 2.</sup> to 4., as applicable, and is lighted sufficiently to satisfy the requirements for other parked or standing vehicles under current law.

The bill establishes certain visibility and mounting standards for all of these required lighting and visibility marking devices, and also requires DOT to establish by rule design, type, or performance standards for these lighting and visibility marking devices, consistent with standards established by the American Society of Agricultural Engineers or the Society of Automotive Engineers or both. All lighting and visibility marking devices required under the bill must comply with these standards established by DOT. The bill requires DOT, within approximately three months, to submit proposed rules to administer the provisions of the bill to the Legislative Council Staff and to promulgate emergency rules to administer the provisions of the bill until the proposed rules submitted to the Legislative Council Staff become final.

The bill also creates an exception to these lighting requirements allowing an agricultural vehicle or agricultural implement that is subject to a lighting system failure to be operated, towed, or transported to the nearest place of repair if the vehicle or implement is accompanied by at least two escort vehicles displaying hazard warning lamps. The lighting requirements under the bill also do not apply to an all-terrain vehicle being used as an implement of husbandry, for which current law provides separate lighting requirements.

The bill also allows <sup>any</sup> agricultural vehicles <sup>or</sup> and agricultural implements to be equipped with an amber strobe light. The bill prohibits a person from operating an agricultural vehicle manufactured on or after approximately one year after the bill's effective date with lighted spotlamps unless the spotlamps are pointed toward the road surface and no glaring light is projected into the eyes of other motorists.

Also under current law, no person in the business of selling "farm equipment," defined as a tractor or other machinery used in the business of farming, (dealer) may sell farm equipment that can be operated on a highway unless the farm equipment is equipped with all required lights and reflectors and with a slow moving vehicle emblem. <sup>This bill adds "visibility material" to "lights" and "reflectors" to reflect the new requirements for</sup>

<sup>no fl</sup> Under this bill, a dealer may not sell farm equipment that can be operated on a highway and that is manufactured on or after approximately one year after the bill's effective date, unless it is equipped with lights, reflectors, and visibility material as required under the bill, but a dealer may sell such farm equipment manufactured before approximately one year after the bill's effective date if it meets applicable requirements under current law. Accordingly, the bill does not require dealers to retrofit existing farm equipment.

Under current law, if a dealer or a person in the business of repairing farm equipment (servicer) fabricates a guard, shield, or other part that has the purpose of preventing injury to humans (safety device) and installs the safety device on used farm equipment, and certain conditions are met, tort liability of the dealer or servicer for damages arising from the safety device is generally limited to actions in negligence rather than strict liability. This bill extends this same liability limitation to lighting systems, electrical systems, and visibility marking systems as well.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

<sup>fix components</sup> 1 SECTION 1. 100.47 (2) (c) of the statutes is ~~renumbered 100.47 (2) (c) 1. and~~

2 amended to read:

3 100.47 (2) (c) 1. <sup>PLAIN</sup> Lights and <sup>keep comma</sup> Subject to subd. 2., lights, reflectors, and visibility <sup>Scored comma</sup>  
4 material meeting the applicable requirements under ch. 347, if farm equipment that  
5 can be operated on a highway.

6 SECTION 2. 100.47 (2) (c) 2. of the statutes is created to read:

7 100.47 (2) (c) 2. For farm equipment manufactured before the first day of the  
8 13th month beginning after the effective date of this subdivision ... [revisor inserts

1 date], lights and reflectors meeting the applicable requirements under ch. 347, 2003  
2 stats., if farm equipment that can be operated on a highway.

3 **SECTION 3.** 347.06 (3) of the statutes is amended to read:

4 347.06 (3) The operator of a vehicle shall keep all lamps and, reflectors, and  
5 visibility material with which such vehicle is required to be equipped reasonably  
6 clean and in proper working condition at all times.

7 **SECTION 4.** 347.21 ~~(1) and (2)~~ of the statutes ~~are~~ <sup>is</sup> amended to read:

8 347.21 (1) ~~No~~ Except as provided in s. 347.225, no person shall may operate on  
9 a highway during hours of darkness any train of vehicles authorized by s. 348.08 (1)  
10 (d) unless there is mounted on each side of every vehicle in such train, including farm  
11 tractors and implements of husbandry, at least one lamp emitting a red light visible  
12 from a distance of 500 feet to the side of the vehicle on which mounted or, in lieu  
13 thereof, at least one red reflector or, notwithstanding s. 347.245, one slow moving  
14 vehicle emblem visible from all distances within 500 feet to 50 feet of the side of the  
15 vehicle when directly in front of lawful upper beams of headlamps. If the train of  
16 vehicles authorized by s. 348.08 (1) (d) consists exclusively of agricultural vehicles,  
17 as defined in s. 347.225 (1) (b), or agricultural implements, as defined in s. 347.225  
18 (1) (a), or both, it shall comply with the requirements of s. 347.225.

19 ~~(2)~~ <sup>Strike</sup> No person shall may operate on a highway, at times other than hours of  
20 darkness, any train of agricultural vehicles authorized by s. 348.08 (1) (b) unless  
21 there is displayed a red flag at least 12 inches square on each rear corner of the  
22 rearmost vehicle in the train. If all vehicles in the train of agricultural vehicles  
23 authorized by s. 348.08 (1) (b) were manufactured on or after the first day of the 13th  
24 month beginning after the effective date of this subsection .... [revisor inserts date],  
25 the train of agricultural vehicles shall comply with the requirements of s. 347.225.

PLAIN

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1 **SECTION 5.** 347.21 (1m) of the statutes is repealed.

2 **SECTION 6.** 347.22 of the statutes is repealed.

3 **SECTION 7.** 347.225 of the statutes is created to read:

4 **347.225 Lamps and reflectors on agricultural vehicles and**  
5 **agricultural implements. (1)** In this section:

6 (a) "Agricultural implement" means a farm implement or an implement of  
7 husbandry, other than a trailer-mounted bulk liquid fertilizer container, that is not  
8 self-propelled and that, to accomplish its purpose, must be towed by or mounted on  
9 a motor vehicle.

10 (b) "Agricultural vehicle" means a farm tractor, self-propelled implement of  
11 husbandry, or self-propelled farm implement.

12 (bm) "Own" includes, with respect to any agricultural vehicle or agricultural  
13 implement, the leasing of the vehicle or implement.

14 (c) "Tow" includes, with respect to an agricultural implement, operating a  
15 vehicle to which the implement is attached, whether on the front or rear.

16 (d) "Towing vehicle" includes a vehicle to which an agricultural implement is  
17 attached.

18 **(2)** No person may operate an agricultural vehicle manufactured on or after the  
19 first day of the 13th month beginning after the effective date of this subsection ....  
20 [revisor inserts date], upon a highway unless the vehicle is equipped with all of the  
21 following:

22 (a) At least 2 headlamps that project a white light visible to the front from a  
23 distance of 500 feet, of sufficient intensity to render objects ahead visible, and  
24 mounted on the same level and as widely spaced laterally as practicable. The  
25 headlamps shall be so arranged and aimed that the headlamp beams are centered

1 laterally and the headlamps, if multiple-beam, shall comply with the requirements  
2 specified in s. 347.10 (2).

3 (b) Two tail lamps mounted on the rear that emit a red light plainly visible to  
4 the rear from a distance of 500 feet. These lamps shall be mounted symmetrically  
5 from the center on each side of the rear of the vehicle, but not greater than 5 feet to  
6 the left or right of the vehicle center, shall be located on the same level and as widely  
7 spaced laterally as practicable, and shall be located at a height of not more than 10  
8 feet nor less than 3.3 feet.

9 (c) At least 2 warning lamps that, when actuated, display simultaneous  
10 flashing amber lights visible to the front and to the rear having a flashrate of 60 to  
11 85 per minute. These lamps shall be mounted so that 2 of the lamps are located on  
12 the same level and as widely spaced laterally as practicable and so that all of the  
13 lamps are as symmetrical as practicable and are located at a height of not more than  
14 12 feet and not less than 3.3 feet. If the vehicle is more than 12 feet wide, these lamps  
15 shall be mounted so that at least one warning lamp on each side of the vehicle is not  
16 more than 16 inches from each extremity of the width of the vehicle.

17 (d) 1. At least 2 direction signal lamps showing to the front and to the rear, so  
18 as to indicate intention to turn right or left, which lamps shall be the same amber  
19 lamps as the warning lamps under par. (c). When actuated, these lamps shall  
20 indicate the intended direction of turning by flashing the light showing to the front  
21 and rear on the side toward which the turn is made at a flashrate of at least 20 more  
22 than the rate under par. (c) but not more than 110, and shall emit a steady amber  
23 light on the side opposite the side toward which the turn is made.

24 2. At least 2 auxiliary direction signal lamps, in addition to those required  
25 under subd. 1., showing to the rear that are mounted symmetrically from the center



1 line on each side of the rear of the vehicle, located on the same level and as widely  
2 spaced laterally as practicable but not greater than 5 feet to the left or right of the  
3 vehicle center line, and located at a height of not more than 12 feet nor less than 3.3  
4 feet. When actuated, these auxiliary direction signal lamps shall indicate the  
5 intended direction of turning by displaying, simultaneously with the flashing  
6 direction signal lamps under subd. 1., a flashing red or amber light visible to the rear  
7 on the side toward which the turn is made. The auxiliary direction signal lamp on  
8 the side opposite the side toward which the turn is made may light but may not flash.

9 (e) 1. Two red reflectors mounted on the rear of the vehicle in such a manner  
10 as to indicate as nearly as possible the extreme width of the vehicle. These reflectors  
11 may be incorporated with the tail lamps or as part of the visibility material described  
12 in subd. 2.

13 2. In addition to the reflectors required under subd. 1., if the vehicle is more  
14 than 12 feet wide, all of the following visibility material, which, for material visible  
15 to the rear, may incorporate any portion of the emblem identified in par. (f):

16 a. At least 2 strips of red reflective material, mounted so as to be visible to the  
17 rear, extending in a line as horizontally as practicable across the rear of the vehicle  
18 to not more than 16 inches from each extremity of the width of the vehicle, with the  
19 strips spaced as evenly as possible and not more than 6 feet between adjacent strips.

20 b. At least 2 strips of non-reflective red-orange fluorescent material, mounted  
21 so as to be visible to the rear, extending in a line as horizontally as practicable across  
22 the rear of the vehicle to not more than 25 inches from each extremity of the width  
23 of the vehicle, with the strips spaced as evenly as possible and not more than 6 feet  
24 between adjacent strips.

1 c. At least 2 strips of yellow reflective material, mounted so as to be visible to  
2 the front, extending to not more than 16 inches from each extremity of the width of  
3 the vehicle.

4 (f) If the vehicle is not towing an agricultural implement or is towing an  
5 agricultural implement that would not impair the visibility of a slow moving vehicle  
6 emblem mounted on the vehicle or is being towed by another vehicle, a slow moving  
7 vehicle emblem that complies with the requirements specified in s. 347.245.

8 (g) If the vehicle is equipped or designed to tow an agricultural implement  
9 requiring lighting devices under this section, at least one electrical device, mounted  
10 behind the rear axle and as near as practicable to the center line of the vehicle,  
11 sufficient to allow the utilization of any power source on the vehicle for activating any  
12 required lighting devices on the towed implement.

13 **(3)** No person may operate an agricultural vehicle manufactured before the  
14 first day of the 13th month beginning after the effective date of this subsection ....  
15 [revisor inserts date], upon a highway during hours of darkness unless the vehicle  
16 is equipped with all of the following:

17 (a) At least 2 headlamps that project a white light visible to the front from a  
18 distance of 500 feet, of sufficient intensity to render objects ahead visible, and  
19 mounted on the same level and as widely spaced laterally as practicable.

20 (b) At least one tail lamp mounted on the rear that emits a red light plainly  
21 visible to the rear from a distance of 500 feet. The lamp shall be mounted on the left  
22 side of the rear of the vehicle, not greater than 5 feet to the left of the vehicle center,  
23 and shall be located at a height of not more than 10 feet nor less than 3.3 feet.

24 (c) At least 2 warning lamps that, when actuated, emit an amber light visible  
25 to the front and to the rear. These lamps shall be mounted so that 2 of the lamps are

located on the same level and as widely spaced laterally as practicable and so that all of the lamps are as symmetrical as practicable and are located at a height of not more than 12 feet and not less than 3.3 feet. If the vehicle is more than 12 feet wide, these lamps shall be mounted so that at least one warning lamp on each side of the vehicle is not more than 16 inches from each extremity of the width of the vehicle.

(d) All reflectors and visibility material specified in sub. (2) (e).

7

(4) No person may tow an agricultural implement manufactured on or after the first day of the 13th month beginning after the effective date of this subsection .... [revisor inserts date], upon a highway unless the implement is equipped with all of the following:

(a) If the agricultural implement extends beyond the left or right extremity of the width of the towing vehicle and is either more than 12 feet wide or extends more than 6 feet to the left or right of the center line of the towing vehicle, or if the implement extends more than 25 feet behind the hitch of the towing vehicle, all of the following lamps:

1. Two tail lamps showing to the rear and mounted as close to the rear as practicable that emit a red light plainly visible to the rear from a distance of 500 feet, except that, if the rear of the agricultural implement is less than 4 feet wide, the implement may be equipped with only one tail lamp. The tail lamps shall be mounted symmetrically from the center line on each side of the rear of the implement, but not less than 2 feet and not greater than 5 feet to the left or right of the implement center line except when an agricultural implement may under this subdivision be equipped with only one tail lamp and except that, on an agricultural implement that does not obscure the tail lamps of the towing vehicle, the tail lamps on the agricultural implement may be mounted more than 5 feet to the left or right of the implement

1 center, and each tail lamp shall be located at a height of not more than 10 feet nor  
2 less than 3.3 feet.

3 2. At least 2 warning lamps that, when actuated, display simultaneous flashing  
4 amber lights having a flashrate of 60 to 85 per minute, that flash simultaneously  
5 with the warning lamps on the towing vehicle, and that are visible to the front and  
6 to the rear except that, if any warning lamp is required under this subdivision only  
7 because the agricultural implement obscures one or more of the warning lamps or  
8 clearance lamps of the towing vehicle, any warning lamp on the agricultural  
9 implement need only be visible from the direction in which the towing vehicle's  
10 warning lamp or clearance lamp is obscured and only one warning lamp is required  
11 on the implement if only one warning lamp or clearance lamp on the towing vehicle  
12 is obscured. Except when an agricultural implement may under this subdivision be  
13 equipped with only one warning lamp, these warning lamps shall be mounted so that  
14 2 of the lamps are located on the same level and as widely spaced laterally as  
15 practicable and so that all of the lamps are as symmetrical as practicable. If the  
16 implement is more than 12 feet wide, these lamps shall be mounted so that at least  
17 one warning lamp on each side of the implement is not more than 16 inches from each  
18 extremity of the width of the implement, or, if only one lamp is required under this  
19 subdivision, the lamp shall be mounted not more than 16 inches from the extremity  
20 of the width of the implement. Any warning lamp required under this subdivision  
21 shall be located at a height of not more than 12 feet and not less than 3.3 feet.

22 3. At least 2 direction signal lamps showing to the front and to the rear, so as  
23 to indicate intention to turn right or left, which lamps, unless only one warning lamp  
24 is required under subd. 2., shall be the same amber lamps as the warning lamps  
25 under subd. 2. When actuated, these lamps shall indicate the intended direction of

1 turning by flashing the light showing to the front and rear on the side toward which  
2 the turn is made at a flashrate of at least 20 more than the rate under subd. 2. but  
3 not more than 110, and shall emit a steady amber light on the side opposite the side  
4 toward which the turn is made.

5 4. At least 2 auxiliary direction signal lamps, in addition to those required  
6 under subd. 3., showing to the rear that are mounted symmetrically from the center  
7 line on each side of the rear of the implement, located on the same level and as widely  
8 spaced laterally as practicable but not less than 2 feet and not greater than 5 feet to  
9 the left or right of the implement center line, and located at a height of not more than  
10 12 feet nor less than 3.3 feet. When actuated, these auxiliary lamps shall indicate  
11 the intended direction of turning by displaying, simultaneously with the flashing  
12 direction signal lamps under subd. 3., a flashing red or amber light visible to the rear  
13 on the side toward which the turn is made. The auxiliary lamp on the side opposite  
14 the side toward which the turn is made may light but may not flash.

15 (ad) If the agricultural implement obscures the visibility of any tail lamp on the  
16 towing vehicle when viewed from the driver's seat of a vehicle following, the lamps  
17 described under par. (a) 1.

18 (ag) If the agricultural implement obscures the visibility of any warning or  
19 clearance lamp on the towing vehicle when viewed from the driver's seat of a vehicle  
20 following, the lamps described under par. (a) 2.

21 (am) If the agricultural implement obscures the visibility of any directional  
22 signal lamp on the towing vehicle when viewed from the driver's seat of a vehicle  
23 following, the lamps described under par. (a) 3.

1 (ar) If the agricultural implement obscures the visibility of any auxiliary or  
2 clearance lamp on the towing vehicle when viewed from the driver's seat of a vehicle  
3 following, the lamps described under par. (a) 4.

4 (b) If the agricultural implement extends more than 4 feet to the left of the  
5 center line of the towing vehicle, at least one strip of yellow reflective material that  
6 is visible to the front and mounted so as to indicate, as nearly as practicable, the left  
7 extremity of the width of the agricultural implement.

8 (c) If the agricultural implement extends more than 4 feet to the left or right  
9 of the center line of the towing vehicle or more than 4 feet behind the hitch of the  
10 towing vehicle, at least 2 red reflectors that are visible to the rear and mounted so  
11 as to indicate, as nearly as practicable, the left and right extremities of the width of  
12 the agricultural implement.

13 (d) If the agricultural implement is more than 12 feet wide or extends more  
14 than 6 feet to the left or right of the center line of the towing vehicle, the material  
15 described in sub. (2) (e) 2. a. to c. mounted on the implement in the manner described  
16 in sub. (2) (e) 2. a. to c. except that, if the implement is towed to the front of the towing  
17 vehicle, the material described in sub. (2) (e) 2. a. and b. is not required on the  
18 implement for a distance of 4 feet on either side of the towing vehicle center line.

19 (e) If any agricultural implement or any combination of agricultural  
20 implements and towed agricultural vehicles extends more than 16.4 feet behind the  
21 hitch of the towing vehicle, the rearmost agricultural vehicle or agricultural  
22 implement shall be equipped with at least one slow moving vehicle emblem that  
23 complies with the requirements specified in s. 347.245 and at least 2 red reflectors  
24 that are visible to the rear and mounted as far to the rear as practicable, and all such  
25 implements or vehicles shall be equipped with strips of yellow reflective material,

1 mounted so as to be visible on both sides and at intervals not greater than 16.4 feet  
2 as measured from the hitch.

3 (f) If agricultural implement requires lighting devices under this subsection,  
4 at least one electrical device located so that it can be readily connected to the  
5 electrical device on the towing vehicle described under sub. (2) (g) and sufficient to  
6 allow the utilization of any power source on the towing vehicle for activating any  
7 required lighting devices on the agricultural implement.

8 (h) Except when an agricultural implement does not impair the visibility of a  
9 slow moving vehicle emblem mounted on the towing vehicle in compliance with sub.  
10 (2) (f), a slow moving vehicle emblem that complies with the requirements specified  
11 in s. 347.245.

12 (5) No person may tow an agricultural implement manufactured before the  
13 first day of the 13th month beginning after the effective date of this subsection ....  
14 [revisor inserts date], upon a highway during hours of darkness unless the  
15 implement is equipped with visibility material as specified in sub. (4) (b) to (d) and  
16 (h) or is equipped with all of the following:

17 (a) If the agricultural implement extends beyond the left or right extremity of  
18 the width of the towing vehicle and is either more than 12 feet wide or extends more  
19 than 6 feet to the left or right of the center line of the towing vehicle, or if the  
20 agricultural implement extends more than 25 feet behind the hitch of the towing  
21 vehicle, or if the agricultural implement obscures the visibility of any warning lamp  
22 on the towing vehicle when viewed from the driver's seat of a vehicle following, at  
23 least 2 auxiliary lamps, which may be fixed or moveable, mounted on the extremities  
24 of the width of the implement, that otherwise meet the requirements for warning  
25 lamps specified in sub. (4) (a) 2. except the requirement that the lamps flash

1 simultaneously with the warning lamps on the towing vehicle, except that, if the  
2 agricultural implement is not symmetrical, the implement may be equipped with one  
3 auxiliary lamp that meets the requirements specified in sub. (4) (a) 2. for  
4 circumstances when one lamp is permitted.

5 (b) If the agricultural implement obscures the visibility of any tail lamp on the  
6 towing vehicle when viewed from the driver's seat of a vehicle following, at least one  
7 auxiliary lamp, which may be fixed or moveable, that is mounted on the implement  
8 not greater than 5 feet to the left of the vehicle center line and located at a height of  
9 not more than 10 feet nor less than 3.3 feet and that otherwise meets the  
10 requirements for tail lamps under sub. (4) (a) 1.

11 (6) No person may operate upon a highway an agricultural vehicle  
12 manufactured on or after the first day of the 13th month beginning after the effective  
13 date of this subsection .... [revisor inserts date], with any lighted spotlight or  
14 auxiliary lamp projecting a beam of intensity greater than a headlamp unless each  
15 spotlight or auxiliary lamp is set or adjusted so that the rays of light are projected  
16 directly upon the road surface at a distance not exceeding 150 feet directly in front  
17 or to the side of the vehicle and to the right of the center of the traveled roadway and  
18 so that no glaring light is projected into the eyes of an approaching driver.

19 (7) Notwithstanding ss. 347.04 and 347.06 and any other provision of this  
20 section, an agricultural vehicle or agricultural implement that is subject to a lighting  
21 system failure may be operated, towed, or transported upon a highway to the nearest  
22 place of repair if the vehicle or implement is accompanied by at least one motor  
23 vehicle other than a motorcycle within 295 feet to the front and to the rear that each  
24 display warning lamps described in s. 347.26 (7).

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③ ⑥  
① (8) Notwithstanding sub. (4) (a) 2. and (ag) and s. 347.06 (1), an agricultural  
2 implement manufactured on or after the first day of the 13th month beginning after  
3 the effective date of this subsection .... [revisor inserts date], that complies with all  
4 requirements under sub. (4) other than sub. (4) (a) 2. or (ag) may be towed upon a  
5 highway during hours of darkness by a vehicle that is not equipped to activate lamps  
6 required on the implement under sub. (4) (a) 2. or (ag) if the implement is equipped  
7 with all of the following and all of the following are lighted:

8 (a) At least 2 auxiliary lamps, which may be fixed or moveable, mounted on the  
9 extremities of the width of the implement, that otherwise meet the requirements for  
10 warning lamps specified in sub. (4) (a) 2. except the requirement that the lamp flash  
11 simultaneously with the warning lamps on the towing vehicle, except that, if the  
12 agricultural implement is not symmetrical, the implement may be equipped with one  
13 auxiliary lamp that meets the requirements specified in sub. (4) (a) 2. for  
14 circumstances when one lamp is permitted.

15 (b) If the agricultural implement obscures the visibility of any tail lamp on the  
16 towing vehicle when viewed from the driver's seat of a vehicle following, at least one  
17 auxiliary lamp, which may be fixed or moveable, that meets the requirements for tail  
18 lamps specified in sub. (4) (a) 1.

③ ⑦  
19 (9) In addition to any other lamp required under this section, an agricultural  
20 vehicle or agricultural implement may be equipped with a flashing, oscillating, or  
21 rotating amber light or a 360-degree flashing amber strobe light.

③ ⑧  
22 (10) The department shall establish by rule design, type, or performance  
23 standards for any lamp, reflector, or other lighting device or visibility material  
24 required under this section, and these standards shall comply with applicable  
25 standards established by the American Society of Agricultural Engineers or the

1 Society of Automotive Engineers or both. Any lamp, reflector, or other lighting device  
2 or visibility material required under this section shall meet the design, type, or  
3 performance standards established by the department.

4 **SECTION 8.** 347.24 (title) of the statutes is amended to read:

5 **347.24 (title) Lamps and reflectors on certain nonmotor vehicles and**  
6 **equipment.**

7 **SECTION 9.** 347.24 (1) (a) <sup>and (am)</sup> of the statutes <sup>are</sup> is amended to read:

8 347.24 (1) (a) Except as provided under ~~par.~~ par. (b) and (e) s. 347.225 (11), no  
9 person may operate on a highway during hours of darkness any implement of  
10 husbandry or any other vehicle not specifically required by law to be equipped with  
11 lamps or other lighting devices unless such implement of vehicle is equipped with  
12 at least 2 lighted lamps or lanterns exhibiting a white light visible from a distance  
13 of 500 feet ahead and 2 lighted lamps or lanterns exhibiting a red light visible from  
14 a distance of 500 feet to the rear or, as an alternative to the red lamps or lanterns,  
15 2 red reflectors mounted as specified in s. 347.18 and meeting the visibility  
16 requirements of s. 347.19 may be displayed on the rear of such vehicle or implement  
17 of husbandry.

18 ~~**SECTION 10.** 347.24 (1) (am) of the statutes is repealed.~~

19 **SECTION 11.** 347.24 (1) (b) of the statutes is amended to read:

20 347.24 (1) (b) Any ~~implement of husbandry or any other~~ vehicle not specifically  
21 required by law to be equipped with lamps or other lighting device and which was  
22 manufactured on or before January 1, 1984, shall comply with the lamp  
23 requirements of s. 347.24 (1), 1981 stats.

24 **SECTION 12.** 347.24 (1) (c) of the statutes is renumbered 347.225 (11) and  
25 amended to read:

② 9

1 347.225 (11) ~~An implement of husbandry which~~ Notwithstanding any other  
2 provision of this section, an agricultural vehicle that is an all-terrain vehicle need  
3 only comply with the lamp requirements established under s. 23.33 (6).

4 **SECTION 13.** 347.245 (1), (4) and (5) of the statutes are amended to read:

5 347.245 (1) After January 1, 1970, no person may operate on a highway, day  
6 or night, any vehicle or equipment, any animal-drawn vehicle, or any other  
7 machinery, including all road machinery, that usually travels at speeds of less than  
8 25 miles per hour or any vehicle operated under a special restricted operator's license  
9 issued under s. 343.135, unless there is displayed on the most practicable visible rear  
10 area of the vehicle or combination of vehicles, a slow moving vehicle (SMV) emblem  
11 as described in and displayed as provided in sub. (2). Any towed vehicle or machine  
12 is exempt from this provision if the towing vehicle is visible from the rear and is in  
13 compliance with this section. All road machinery is excluded when it is engaged in  
14 actual construction or maintenance work either guarded by a flagman or clearly  
15 visible warning signs. Except as provided in s. ss. 347.21 (1) and 347.225, the  
16 requirement of the emblem shall be in addition to any lighting devices required or  
17 permitted by law. Mopeds and motor bicycles are excluded from the provisions of this  
18 section unless they are operated under a special restricted operator's license issued  
19 under s. 343.135. Electric personal assistive mobility devices are excluded from the  
20 provisions of this section. The SMV emblem need not be displayed on vehicles  
21 moving directly across the highway.

22 (4) Except as provided in s. ss. 347.21 (1) and 347.225, no person shall display  
23 such emblem on any vehicle or equipment not specified in sub. (1).

(5) This Except as provided in s. 347.225, this section does not apply to any vehicle or combination of vehicles to the left rear of which is attached a yellow or amber flashing light at least 4 inches in diameter.

SECTION 14. 347.27 (1m) of the statutes is created to read:

<sup>insert 20-6</sup>  
347.27 (1m) No person may park or leave <sup>standing</sup> an agricultural vehicle, as defined in s. 347.225 (1) (b), or an agricultural implement, as defined in s. 347.225 (1) (a), <sup>standing</sup> whether attended or unattended, upon a roadway or the shoulder immediately adjacent thereto during hours of darkness unless the vehicle or implement is equipped as required under s. 347.225 and satisfies the requirements for other vehicles specified in sub. (1) <sup>and (2)</sup>.

SECTION 15. 347.27 (2) of the statutes is amended to read:

347.27 (2) Any lighted headlamps on a vehicle or agricultural vehicle, as defined in s. 347.225 (1) (b), parked on a highway shall be depressed or dimmed.

SECTION 16. 347.27 (3) of the statutes is amended to read:

<sup>insert 20-18</sup>  
347.27 (3) In this section, "vehicle" includes ~~farm tractors and self-propelled farm implements, implements of husbandry,~~ animal-drawn vehicles and road machinery, but not agricultural vehicles, as defined in s. 347.225 (1) (b), or agricultural implements, as defined in s. 347.225 (1) (a). PLAIN

SECTION 17. 348.08 (2) of the statutes is amended to read:

348.08 (2) Whenever any train of agricultural vehicles is being operated under sub. (1) (b), the train shall be equipped, as applicable, as provided in s. 347.21 (1m) and (2) or 347.225. Whenever any train of agricultural vehicles is being operated under sub. (1) (d), the train shall be equipped, as applicable, as provided in s. 347.21 (1) and (2) or 347.225. The trailer hitches of a train of agricultural vehicles shall be of a positive nature so as to prevent accidental release. PLAIN

1       **SECTION 18.** 895.495 (1) (b) of the statutes is amended to read:

2       895.495 (1) (b) “Safety device” means a guard, shield, lighting system,  
3       electrical system, visibility marking system, or other part that has the purpose of  
4       preventing injury to humans.

5       **SECTION 19. Nonstatutory provisions.**

6       (1) The department of transportation shall submit in proposed form the rules  
7       required under section 347.225 (~~19~~) of the statutes, as created by this act, to the  
8       legislative council staff under section 227.15 (1) of the statutes no later than the first  
9       day of the 4th month beginning after the effective date of this subsection, unless the  
10      secretary of administration requires the department to prepare an economic impact  
11      report under section 227.137 of the statutes for the proposed rules.

12      (2) Using the emergency rules procedure under section 227.24 of the statutes,  
13      the department of transportation shall promulgate the rules required under section  
14      347.225 (~~19~~) of the statutes, as created by this act, for purposes of implementing this  
15      act, for the period before the effective date of the rules submitted under subsection  
16      (1). The department shall promulgate these emergency rules no later than the first  
17      day of the 4th month beginning after the effective date of this subsection.  
18      Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules  
19      may remain in effect until July 1, 2009, or the date on which permanent rules take  
20      effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the  
21      statutes, the department is not required to provide evidence that promulgating a rule  
22      under this subsection as an emergency rule is necessary for the preservation of the  
23      public peace, health, safety, or welfare and is not required to provide a finding of  
24      emergency for a rule promulgated under this subsection.

**SECTION 20. Effective dates.** This act takes effect on the first day of the 4th month beginning after publication, except as follows:

(1) The treatment of section 347.225 ~~(19)~~ of the statutes and SECTION 19 (1) and  
(2) of this act take effect on the day after publication.

(END)

**2005-2006 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1463/P2ins  
ARG:.....

**INSERT 6-18:**

(1m) No Except as provided in s. 347.225, no person shall may operate on a highway during hours of darkness any train of vehicles authorized by s. 348.08 (1) (b) unless there is mounted on each side of every vehicle in such train, including farm tractors and implements of husbandry, at least one lamp emitting a red light visible from a distance of 500 feet to the side of the vehicle on which mounted or, in lieu thereof, at least one red reflector visible from all distances within 500 feet to 50 feet of the side of the vehicle when directly in front of lawful upper beams of headlamps. If all vehicles in the train of agricultural vehicles authorized by s. 348.08 (1) (b) were manufactured on or after the first day of the 13th month beginning after the effective date of this subsection .... [revisor inserts date], the train of agricultural vehicles shall comply with the requirements of s. 347.225.

**INSERT 7-1:**

**SECTION 6.** 347.22 of the statutes is amended to read:

**347.22 Lamps on farm tractors and self-propelled farm implements.**

(1) No Except as provided in ss. 347.225 and 347.27 (1m), no person shall may operate or park a farm tractor or self-propelled farm implement upon a highway during hours of darkness unless such tractor or implement carries the lighted headlamps and tail lamps which would be required of other motor vehicles under similar circumstances. If the farm tractor or self-propelled farm implement is an agricultural implement or agricultural vehicle, as defined in s. 347.225 (1), that was manufactured on or after the first day of the 13th month beginning after the effective

as defined in s. 347.225 (1)(a)

date of this paragraph.... [revisor inserts date], it shall comply with the requirements of ss. 347.225 and 347.27 (1m).

(2) No Except as provided in ss. 347.225 and 347.27, no person shall may operate or park a farm tractor or self-propelled farm implement upon a highway during hours of darkness with any lamp thereon showing any light to the rear other than red in color.

as defined in s. 347.225(1)(a)

**INSERT 18-17:**

(no P) If the implement<sup>(b)</sup> or vehicle is an agricultural implement or agricultural vehicle, as defined in s. 347.225 (1), that was manufactured on or after the first day of the 13th month beginning after the effective date of this paragraph .... [revisor inserts date], it shall comply with the requirements of s. 347.225.

(am) No Except as provided in s. 347.225, no person may operate on a highway during hours of darkness any implement of husbandry that extends 4 feet or more to the left of the center line of its towing vehicle unless the implement is equipped with an amber reflector meeting the visibility requirements of s. 347.19 and mounted on the left side, facing forward, so as to mark the extreme width of the implement to drivers of oncoming vehicles. If the implement of husbandry is an agricultural implement or agricultural vehicle, as defined in s. 347.225 (1)<sup>(b)</sup>, that was manufactured on or after the first day of the 13th month beginning after the effective date of this paragraph .... [revisor inserts date], it shall comply with the requirements of s. 347.225.

History: 1977 c. 418; 1983 a. 124; 1985 a. 29; 1993 a. 455; 2001 a. 104.

**INSERT 20-6:**

(no P) that was manufactured on or after the first day of the 13th month beginning after the effective date of this paragraph.... [revisor inserts date],

subsection



**INSERT 20-18:**

(no P) , that were manufactured on or after the first day of the 13th month beginning after the effective date of this paragraph .... [revisor inserts date]

2  
subsection

**Gary, Aaron**

---

**From:** Boardman, Kristina  
**Sent:** Thursday, March 24, 2005 8:49 AM  
**To:** Gary, Aaron  
**Subject:** FW: Draft review: LRB 05-1463/P2 Topic: Lighting and visibility marking requirements for agricultural vehicles and agricultural implements

Aaron:

Agreement all around! Can you please convert LRB 1463/P2 to a "slash 1" - and jacket it for the Assembly?

Thank you so much.

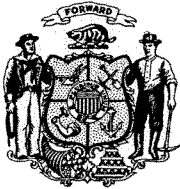
Have a nice holiday weekend.

Kristina

-----Original Message-----

**From:** Northrop, Lori  
**Sent:** Wednesday, March 16, 2005 10:43 AM  
**To:** Rep.Ainsworth  
**Subject:** Draft review: LRB 05-1463/P2 Topic: Lighting and visibility marking requirements for agricultural vehicles and agricultural implements

**Following is the PDF version of draft LRB 05-1463/P2.**



State of Wisconsin  
2005 - 2006 LEGISLATURE

Wanted  
by 3/25

LRB-1463/12 1

ARG:cjs:rs

stays  
RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

Regen

1 AN ACT *to renumber and amend* 347.24 (1) (c); *to amend* 100.47 (2) (c), 347.06  
2 (3), 347.21, 347.22, 347.24 (title), 347.24 (1) (a) and (am), 347.245 (1), (4) and  
3 (5), 347.27 (3) and 348.08 (2); and *to create* 347.225 and 347.27 (1m) of the  
4 statutes; **relating to:** lighting and visibility marking requirements for certain  
5 agricultural vehicles and agricultural implements operated or towed upon a  
6 highway, extending the time limit for emergency rule procedures, providing an  
7 exemption from emergency rule procedures, providing an exemption from  
8 rule-making procedures, and requiring the exercise of rule-making authority.

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***Analysis by the Legislative Reference Bureau***

Under current law, farm tractors and implements of husbandry are exempt from vehicle registration by the Department of Transportation (DOT). A "farm tractor" is defined as a motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry. An "implement of husbandry" is defined, with limited variation, as a vehicle or piece of equipment or machinery designed for agricultural purposes, used exclusively in the conduct of agricultural operations, and used principally off the highway.

Under current law, vehicle equipment requirements generally do not apply to vehicles that are not operated upon or occupying a highway, and lighting

requirements applicable to most vehicles operated upon a highway do not apply to farm tractors, self-propelled farm implements, or implements of husbandry except to the extent the requirement is specifically imposed on these vehicles. However, whenever a vehicle is required to be equipped with headlamps, tail lamps, or clearance lamps, no person may operate the vehicle upon a highway during hours of darkness unless the required lamps are lighted. In addition, if any vehicle is required to be equipped with lamps or reflectors, the operator of the vehicle must keep all such lamps and reflectors reasonably clean and in proper working condition at all times. If a vehicle is operated on a highway without lighting equipment required by law, both the operator and the owner, if the owner knowingly causes or permits the vehicle to be so operated, may be guilty of a violation.

Current law imposes various lighting requirements on different types of agricultural-related vehicles, including the following:

1. No person may operate or park a farm tractor or a self-propelled farm implement upon a highway during hours of darkness unless the farm tractor or farm implement is equipped with the same type of headlamps and tail lamps required of other vehicles, these lamps are lighted, and no lamp of a color other than red is showing to the rear.

2. No person may operate on a highway during hours of darkness any implement of husbandry manufactured after January 1, 1984, that is not an all-terrain vehicle unless the implement of husbandry is equipped with the equivalent of at least two lighted headlamps and two lighted tail lamps or, as an alternative to the tail lamps, two red reflectors on the rear of the implement of husbandry. Also, no person may operate on a highway during hours of darkness any implement of husbandry that extends four feet or more to the left of the center line of its towing vehicle unless the implement is equipped with an amber reflector on the left side, facing forward, to mark the extreme width of the implement of husbandry.

3. Under an exception to the general prohibition that a person may not operate on a highway, without a permit, a vehicle towing more than one other vehicle, a person may operate a farm tractor drawing two trailers used primarily as implements of husbandry in connection with seasonal agricultural activities or one such trailer and any other implement of husbandry (farm tractor agricultural train) if the operation of the combination of vehicles is exclusively for a farming operation and certain other requirements are satisfied. Another exception allows a person to operate a motor truck or truck tractor to draw two trailers transporting empty pressurized or nonpressurized tanks used for hauling or storing liquid agricultural fertilizer or two implements of husbandry, including two empty trailers used primarily as implements of husbandry in connection with seasonal agricultural activities (truck tractor agricultural train), if certain requirements are satisfied. No person may operate on a highway during hours of darkness any farm tractor agricultural train or truck tractor agricultural train unless each side of every vehicle in the train is equipped with at least one red lamp or at least one red reflector or, for truck tractor agricultural trains only, at least one slow moving (SMV) vehicle emblem. In addition, no person may operate on a highway, at times other than

during hours of darkness, any farm tractor agricultural train without a red flag on each rear corner of the rearmost vehicle in the train.

4. No person may operate on a highway, at any time, any vehicle or equipment that usually travels at speeds of less than 25 miles per hour without an SMV emblem on the most practicable visible rear area of the vehicle or combination of vehicles unless an SMV emblem on a towing vehicle is visible from the rear. This SMV emblem requirement is in addition to any other required lighting devices, and no person may display an SMV emblem on a vehicle except for the purpose for which the emblem is required. In lieu of the SMV emblem, a vehicle or combination of vehicles may be equipped with a yellow or amber flashing light on the left rear of the vehicle. DOT is required to establish by rule standards and specifications for the design and positioning of SMV emblems on vehicles and the standards and specifications must conform, so far as practicable, with those approved by the American Society of Agricultural Engineers.

5. No person may park or leave a vehicle (including a farm tractor, self-propelled farm implement, or implement of husbandry) standing, whether attended or unattended, upon a roadway or the shoulder immediately adjacent thereto during hours of darkness unless the vehicle is lawfully parked within a city or village or is parked or standing where there is sufficient artificial light to render it visible from a distance of 500 feet and, in either case, is equipped with at least one red reflector on the rear to the side of the vehicle closest to passing traffic or unless the vehicle is equipped with lighted lamps to the side of the vehicle closest to passing traffic visible from a distance of 500 feet showing a white or amber light visible to the front and a red light visible to the rear and, if equipped with two parking lamps and two tail lamps, these lamps are lighted. In addition, any lighted headlamp must be dimmed.

Current law also establishes certain visibility and mounting standards for all of these lighting and visibility marking devices.

This bill generally replaces current law relating to lighting and visibility marking requirements for farm tractors, self-propelled implements of husbandry, and self-propelled farm implements (agricultural vehicles) and implements of husbandry and farm implements that are not self-propelled but intended to be used with a motor vehicle (agricultural implements) that are manufactured on or after approximately one year after the bill's effective date with new, similar requirements. The bill creates the following requirements:

1. An agricultural vehicle manufactured on or after approximately one year after the bill's effective date may not be operated on a highway unless the vehicle is equipped with at least two headlamps, two tail lamps, at least two warning lamps, at least two direction signal lamps and two additional auxiliary direction signal lamps, two red rear reflectors and, if the vehicle is more than 12 feet wide, specified strips of visibility material (tape), an SMV emblem (for most vehicles), and, if the vehicle is equipped or designed to tow an agricultural implement requiring lighting devices, an electrical connection sufficient to activate any lighting devices on the agricultural implement.

2. An agricultural implement manufactured on or after approximately one year after the bill's effective date may not be towed on a highway unless the implement, if the implement falls within certain size and configuration criteria or obscures the visibility of certain lamps on the towing vehicle, is equipped with some or all of the following: tail lamps, warning lamps, directional signal lamps and additional auxiliary direction signal lamps, strips of visibility material, red reflectors, an SMV emblem, and an electrical device to connect with the towing vehicle sufficient to activate any lighting devices required on the agricultural implement.

3. An agricultural vehicle or agricultural implement manufactured on or after approximately one year after the bill's effective date may not be parked or left standing on a roadway or shoulder during hours of darkness unless the vehicle or implement is equipped as required under items 1. and 2., as applicable, and is lighted sufficiently to satisfy the requirements for other parked or standing vehicles under current law.

The bill establishes certain visibility and mounting standards for all of these required lighting and visibility marking devices, and also requires DOT to establish by rule design, type, or performance standards for these lighting and visibility marking devices, consistent with standards established by the American Society of Agricultural Engineers or the Society of Automotive Engineers or both. All lighting and visibility marking devices required under the bill must comply with these standards established by DOT. The bill requires DOT, within approximately three months, to submit proposed rules to administer the provisions of the bill to the Legislative Council Staff and to promulgate emergency rules to administer the provisions of the bill until the proposed rules submitted to the Legislative Council Staff become final.

The bill also creates an exception to these lighting requirements allowing an agricultural vehicle or agricultural implement manufactured on or after approximately one year after the bill's effective date that is subject to a lighting system failure to be operated, towed, or transported to the nearest place of repair if the vehicle or implement is accompanied by at least two escort vehicles displaying hazard warning lamps. The lighting requirements under the bill also do not apply to an all-terrain vehicle being used as an implement of husbandry, for which current law provides separate lighting requirements.

The bill also allows any agricultural vehicle or agricultural implement (not limited to those manufactured on or after approximately one year after the bill's effective date) to be equipped with an amber strobe light. The bill prohibits a person from operating an agricultural vehicle manufactured on or after approximately one year after the bill's effective date with lighted spotlamps unless the spotlamps are pointed toward the road surface and no glaring light is projected into the eyes of other motorists.

Also under current law, no person in the business of selling "farm equipment," defined as a tractor or other machinery used in the business of farming, (dealer) may sell farm equipment that can be operated on a highway unless the farm equipment is equipped with all required lights and reflectors and with a slow moving vehicle emblem. This bill adds "visibility material" to "lights" and "reflectors" to reflect the

new requirements for farm equipment manufactured on or after approximately one year after the bill's effective date.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1       **SECTION 1.** 100.47 (2) (c) of the statutes is amended to read:

2       100.47 (2) (c) Lights and, reflectors, and visibility material meeting the  
3       applicable requirements under ch. 347, if farm equipment that can be operated on  
4       a highway.

5       **SECTION 2.** 347.06 (3) of the statutes is amended to read:

6       347.06 (3) The operator of a vehicle shall keep all lamps and, reflectors, and  
7       visibility material with which such vehicle is required to be equipped reasonably  
8       clean and in proper working condition at all times.

9       **SECTION 3.** 347.21 of the statutes is amended to read:

10       347.21 (1) No Except as provided in s. 347.225, no person shall may operate on  
11       a highway during hours of darkness any train of vehicles authorized by s. 348.08 (1)  
12       (d) unless there is mounted on each side of every vehicle in such train, including farm  
13       tractors and implements of husbandry, at least one lamp emitting a red light visible  
14       from a distance of 500 feet to the side of the vehicle on which mounted or, in lieu  
15       thereof, at least one red reflector or, notwithstanding s. 347.245, one slow moving  
16       vehicle emblem visible from all distances within 500 feet to 50 feet of the side of the  
17       vehicle when directly in front of lawful upper beams of headlamps. If the train of  
18       vehicles authorized by s. 348.08 (1) (d) consists exclusively of agricultural vehicles,  
19       as defined in s. 347.225 (1) (b), or agricultural implements, as defined in s. 347.225  
20       (1) (a), or both, that were manufactured on or after the first day of the 13th month

beginning after the effective date of this subsection .... [revisor inserts date], it shall comply with the requirements of s. 347.225.

(1m) No Except as provided in s. 347.225, no person shall may operate on a highway during hours of darkness any train of vehicles authorized by s. 348.08 (1) (b) unless there is mounted on each side of every vehicle in such train, including farm tractors and implements of husbandry, at least one lamp emitting a red light visible from a distance of 500 feet to the side of the vehicle on which mounted or, in lieu thereof, at least one red reflector visible from all distances within 500 feet to 50 feet of the side of the vehicle when directly in front of lawful upper beams of headlamps. If all vehicles in the train of agricultural vehicles authorized by s. 348.08 (1) (b) were manufactured on or after the first day of the 13th month beginning after the effective date of this subsection .... [revisor inserts date], the train of agricultural vehicles shall comply with the requirements of s. 347.225.

(2) No Except as provided in s. 347.255, no person shall may operate on a highway, at times other than hours of darkness, any train of agricultural vehicles authorized by s. 348.08 (1) (b) unless there is displayed a red flag at least 12 inches square on each rear corner of the rearmost vehicle in the train. If all vehicles in the train of agricultural vehicles authorized by s. 348.08 (1) (b) were manufactured on or after the first day of the 13th month beginning after the effective date of this subsection .... [revisor inserts date], the train of agricultural vehicles shall comply with the requirements of s. 347.225.

SECTION 6. 347.22 of the statutes is amended to read:

**347.22 Lamps on farm tractors and self-propelled farm implements.**

(1) No Except as provided in ss. 347.225 and 347.27 (1m), no person shall may operate or park a farm tractor or self-propelled farm implement upon a highway



1 during hours of darkness unless such tractor or implement carries the lighted  
2 headlamps and tail lamps which would be required of other motor vehicles under  
3 similar circumstances. If the farm tractor or self-propelled farm implement is an  
4 agricultural implement, as defined in s. 347.225 (1) (a), or agricultural vehicle, as  
5 defined in s. 347.225 (1) (b), that was manufactured on or after the first day of the  
6 13th month beginning after the effective date of this subsection .... [revisor inserts  
7 date], it shall comply with the requirements of ss. 347.225 and 347.27 (1m).

8 (2) No Except as provided in ss. 347.225 and 347.27, no person shall may  
9 operate or park a farm tractor or self-propelled farm implement upon a highway  
10 during hours of darkness with any lamp thereon showing any light to the rear other  
11 than red in color.

12 SECTION 4. 347.225 of the statutes is created to read:

13 **347.225 Lamps and reflectors on agricultural vehicles and**  
14 **agricultural implements. (1) In this section:**

15 (a) "Agricultural implement" means a farm implement or an implement of  
16 husbandry, other than a trailer-mounted bulk liquid fertilizer container, that is not  
17 self-propelled and that, to accomplish its purpose, must be towed by or mounted on  
18 a motor vehicle.

19 (b) "Agricultural vehicle" means a farm tractor, self-propelled implement of  
20 husbandry, or self-propelled farm implement.

21 (bm) "Own" includes, with respect to any agricultural vehicle or agricultural  
22 implement, the leasing of the vehicle or implement.

23 (c) "Tow" includes, with respect to an agricultural implement, operating a  
24 vehicle to which the implement is attached, whether on the front or rear.

1 (d) "Towing vehicle" includes a vehicle to which an agricultural implement is  
2 attached.

3 (2) No person may operate an agricultural vehicle manufactured on or after the  
4 first day of the 13th month beginning after the effective date of this subsection ....  
5 [revisor inserts date], upon a highway unless the vehicle is equipped with all of the  
6 following:

7 (a) At least 2 headlamps that project a white light visible to the front from a  
8 distance of 500 feet, of sufficient intensity to render objects ahead visible, and  
9 mounted on the same level and as widely spaced laterally as practicable. The  
10 headlamps shall be so arranged and aimed that the headlamp beams are centered  
11 laterally and the headlamps, if multiple-beam, shall comply with the requirements  
12 specified in s. 347.10 (2).

13 (b) Two tail lamps mounted on the rear that emit a red light plainly visible to  
14 the rear from a distance of 500 feet. These lamps shall be mounted symmetrically  
15 from the center on each side of the rear of the vehicle, but not greater than 5 feet to  
16 the left or right of the vehicle center, shall be located on the same level and as widely  
17 spaced laterally as practicable, and shall be located at a height of not more than 10  
18 feet nor less than 3.3 feet.

19 (c) At least 2 warning lamps that, when actuated, display simultaneous  
20 flashing amber lights visible to the front and to the rear having a flashrate of 60 to  
21 85 per minute. These lamps shall be mounted so that 2 of the lamps are located on  
22 the same level and as widely spaced laterally as practicable and so that all of the  
23 lamps are as symmetrical as practicable and are located at a height of not more than  
24 12 feet and not less than 3.3 feet. If the vehicle is more than 12 feet wide, these lamps

1 shall be mounted so that at least one warning lamp on each side of the vehicle is not  
2 more than 16 inches from each extremity of the width of the vehicle.

3 (d) 1. At least 2 direction signal lamps showing to the front and to the rear, so  
4 as to indicate intention to turn right or left, which lamps shall be the same amber  
5 lamps as the warning lamps under par. (c). When actuated, these lamps shall  
6 indicate the intended direction of turning by flashing the light showing to the front  
7 and rear on the side toward which the turn is made at a flashrate of at least 20 more  
8 than the rate under par. (c) but not more than 110, and shall emit a steady amber  
9 light on the side opposite the side toward which the turn is made.

10 2. At least 2 auxiliary direction signal lamps, in addition to those required  
11 under subd. 1., showing to the rear that are mounted symmetrically from the center  
12 line on each side of the rear of the vehicle, located on the same level and as widely  
13 spaced laterally as practicable but not greater than 5 feet to the left or right of the  
14 vehicle center line, and located at a height of not more than 12 feet nor less than 3.3  
15 feet. When actuated, these auxiliary direction signal lamps shall indicate the  
16 intended direction of turning by displaying, simultaneously with the flashing  
17 direction signal lamps under subd. 1., a flashing red or amber light visible to the rear  
18 on the side toward which the turn is made. The auxiliary direction signal lamp on  
19 the side opposite the side toward which the turn is made may light but may not flash.

20 (e) 1. Two red reflectors mounted on the rear of the vehicle in such a manner  
21 as to indicate as nearly as possible the extreme width of the vehicle. These reflectors  
22 may be incorporated with the tail lamps or as part of the visibility material described  
23 in subd. 2.

1           2. In addition to the reflectors required under subd. 1., if the vehicle is more  
2           than 12 feet wide, all of the following visibility material, which, for material visible  
3           to the rear, may incorporate any portion of the emblem identified in par. (f):

4           a. At least 2 strips of red reflective material, mounted so as to be visible to the  
5           rear, extending in a line as horizontally as practicable across the rear of the vehicle  
6           to not more than 16 inches from each extremity of the width of the vehicle, with the  
7           strips spaced as evenly as possible and not more than 6 feet between adjacent strips.

8           b. At least 2 strips of non-reflective red-orange fluorescent material, mounted  
9           so as to be visible to the rear, extending in a line as horizontally as practicable across  
10          the rear of the vehicle to not more than 25 inches from each extremity of the width  
11          of the vehicle, with the strips spaced as evenly as possible and not more than 6 feet  
12          between adjacent strips.

13          c. At least 2 strips of yellow reflective material, mounted so as to be visible to  
14          the front, extending to not more than 16 inches from each extremity of the width of  
15          the vehicle.

16          (f) If the vehicle is not towing an agricultural implement or is towing an  
17          agricultural implement that would not impair the visibility of a slow moving vehicle  
18          emblem mounted on the vehicle or is being towed by another vehicle, a slow moving  
19          vehicle emblem that complies with the requirements specified in s. 347.245.

20          (g) If the vehicle is equipped or designed to tow an agricultural implement  
21          requiring lighting devices under this section, at least one electrical device, mounted  
22          behind the rear axle and as near as practicable to the center line of the vehicle,  
23          sufficient to allow the utilization of any power source on the vehicle for activating any  
24          required lighting devices on the towed implement.

1           (3) No person may tow an agricultural implement manufactured on or after the  
2 first day of the 13th month beginning after the effective date of this subsection ....  
3 [revisor inserts date], upon a highway unless the implement is equipped with all of  
4 the following:

5           (a) If the agricultural implement extends beyond the left or right extremity of  
6 the width of the towing vehicle and is either more than 12 feet wide or extends more  
7 than 6 feet to the left or right of the center line of the towing vehicle, or if the  
8 implement extends more than 25 feet behind the hitch of the towing vehicle, all of  
9 the following lamps:

10           1. Two tail lamps showing to the rear and mounted as close to the rear as  
11 practicable that emit a red light plainly visible to the rear from a distance of 500 feet,  
12 except that, if the rear of the agricultural implement is less than 4 feet wide, the  
13 implement may be equipped with only one tail lamp. The tail lamps shall be mounted  
14 symmetrically from the center line on each side of the rear of the implement, but not  
15 less than 2 feet and not greater than 5 feet to the left or right of the implement center  
16 line except when an agricultural implement may under this subdivision be equipped  
17 with only one tail lamp and except that, on an agricultural implement that does not  
18 obscure the tail lamps of the towing vehicle, the tail lamps on the agricultural  
19 implement may be mounted more than 5 feet to the left or right of the implement  
20 center, and each tail lamp shall be located at a height of not more than 10 feet nor  
21 less than 3.3 feet.

22           2. At least 2 warning lamps that, when actuated, display simultaneous flashing  
23 amber lights having a flashrate of 60 to 85 per minute, that flash simultaneously  
24 with the warning lamps on the towing vehicle, and that are visible to the front and  
25 to the rear except that, if any warning lamp is required under this subdivision only

1 because the agricultural implement obscures one or more of the warning lamps or  
2 clearance lamps of the towing vehicle, any warning lamp on the agricultural  
3 implement need only be visible from the direction in which the towing vehicle's  
4 warning lamp or clearance lamp is obscured and only one warning lamp is required  
5 on the implement if only one warning lamp or clearance lamp on the towing vehicle  
6 is obscured. Except when an agricultural implement may under this subdivision be  
7 equipped with only one warning lamp, these warning lamps shall be mounted so that  
8 2 of the lamps are located on the same level and as widely spaced laterally as  
9 practicable and so that all of the lamps are as symmetrical as practicable. If the  
10 implement is more than 12 feet wide, these lamps shall be mounted so that at least  
11 one warning lamp on each side of the implement is not more than 16 inches from each  
12 extremity of the width of the implement, or, if only one lamp is required under this  
13 subdivision, the lamp shall be mounted not more than 16 inches from the extremity  
14 of the width of the implement. Any warning lamp required under this subdivision  
15 shall be located at a height of not more than 12 feet and not less than 3.3 feet.

16 3. At least 2 direction signal lamps showing to the front and to the rear, so as  
17 to indicate intention to turn right or left, which lamps, unless only one warning lamp  
18 is required under subd. 2., shall be the same amber lamps as the warning lamps  
19 under subd. 2. When actuated, these lamps shall indicate the intended direction of  
20 turning by flashing the light showing to the front and rear on the side toward which  
21 the turn is made at a flashrate of at least 20 more than the rate under subd. 2. but  
22 not more than 110, and shall emit a steady amber light on the side opposite the side  
23 toward which the turn is made.

24 4. At least 2 auxiliary direction signal lamps, in addition to those required  
25 under subd. 3., showing to the rear that are mounted symmetrically from the center

1 line on each side of the rear of the implement, located on the same level and as widely  
2 spaced laterally as practicable but not less than 2 feet and not greater than 5 feet to  
3 the left or right of the implement center line, and located at a height of not more than  
4 12 feet nor less than 3.3 feet. When actuated, these auxiliary lamps shall indicate  
5 the intended direction of turning by displaying, simultaneously with the flashing  
6 direction signal lamps under subd. 3., a flashing red or amber light visible to the rear  
7 on the side toward which the turn is made. The auxiliary lamp on the side opposite  
8 the side toward which the turn is made may light but may not flash.

9 (ad) If the agricultural implement obscures the visibility of any tail lamp on the  
10 towing vehicle when viewed from the driver's seat of a vehicle following, the lamps  
11 described under par. (a) 1.

12 (ag) If the agricultural implement obscures the visibility of any warning or  
13 clearance lamp on the towing vehicle when viewed from the driver's seat of a vehicle  
14 following, the lamps described under par. (a) 2.

15 (am) If the agricultural implement obscures the visibility of any directional  
16 signal lamp on the towing vehicle when viewed from the driver's seat of a vehicle  
17 following, the lamps described under par. (a) 3.

18 (ar) If the agricultural implement obscures the visibility of any auxiliary or  
19 clearance lamp on the towing vehicle when viewed from the driver's seat of a vehicle  
20 following, the lamps described under par. (a) 4.

21 (b) If the agricultural implement extends more than 4 feet to the left of the  
22 center line of the towing vehicle, at least one strip of yellow reflective material that  
23 is visible to the front and mounted so as to indicate, as nearly as practicable, the left  
24 extremity of the width of the agricultural implement.

1 (c) If the agricultural implement extends more than 4 feet to the left or right  
2 of the center line of the towing vehicle or more than 4 feet behind the hitch of the  
3 towing vehicle, at least 2 red reflectors that are visible to the rear and mounted so  
4 as to indicate, as nearly as practicable, the left and right extremities of the width of  
5 the agricultural implement.

6 (d) If the agricultural implement is more than 12 feet wide or extends more  
7 than 6 feet to the left or right of the center line of the towing vehicle, the material  
8 described in sub. (2) (e) 2. a. to c. mounted on the implement in the manner described  
9 in sub. (2) (e) 2. a. to c. except that, if the implement is towed to the front of the towing  
10 vehicle, the material described in sub. (2) (e) 2. a. and b. is not required on the  
11 implement for a distance of 4 feet on either side of the towing vehicle center line.

12 (e) If any agricultural implement or any combination of agricultural  
13 implements and towed agricultural vehicles extends more than 16.4 feet behind the  
14 hitch of the towing vehicle, the rearmost agricultural vehicle or agricultural  
15 implement shall be equipped with at least one slow moving vehicle emblem that  
16 complies with the requirements specified in s. 347.245 and at least 2 red reflectors  
17 that are visible to the rear and mounted as far to the rear as practicable, and all such  
18 implements or vehicles shall be equipped with strips of yellow reflective material,  
19 mounted so as to be visible on both sides and at intervals not greater than 16.4 feet  
20 as measured from the hitch.

21 (f) If agricultural implement requires lighting devices under this subsection,  
22 at least one electrical device located so that it can be readily connected to the  
23 electrical device on the towing vehicle described under sub. (2) (g) and sufficient to  
24 allow the utilization of any power source on the towing vehicle for activating any  
25 required lighting devices on the agricultural implement.



1           (h) Except when an agricultural implement does not impair the visibility of a  
2           slow moving vehicle emblem mounted on the towing vehicle in compliance with sub.  
3           (2) (f), a slow moving vehicle emblem that complies with the requirements specified  
4           in s. 347.245.

5           (4) No person may operate upon a highway an agricultural vehicle  
6           manufactured on or after the first day of the 13th month beginning after the effective  
7           date of this subsection .... [revisor inserts date], with any lighted spotlight or  
8           auxiliary lamp projecting a beam of intensity greater than a headlamp unless each  
9           spotlight or auxiliary lamp is set or adjusted so that the rays of light are projected  
10          directly upon the road surface at a distance not exceeding 150 feet directly in front  
11          or to the side of the vehicle and to the right of the center of the traveled roadway and  
12          so that no glaring light is projected into the eyes of an approaching driver.

13          (5) Notwithstanding ss. 347.04 and 347.06 and any other provision of this  
14          section, an agricultural vehicle or agricultural implement manufactured on or after  
15          the first day of the 13th month beginning after the effective date of this subsection  
16          .... [revisor inserts date], that is subject to a lighting system failure may be operated,  
17          towed, or transported upon a highway to the nearest place of repair if the vehicle or  
18          implement is accompanied by at least one motor vehicle other than a motorcycle  
19          within 295 feet to the front and to the rear that each display warning lamps described  
20          in s. 347.26 (7).

21          (6) Notwithstanding sub. (3) (a) 2. and (ag) and s. 347.06 (1), an agricultural  
22          implement manufactured on or after the first day of the 13th month beginning after  
23          the effective date of this subsection .... [revisor inserts date], that complies with all  
24          requirements under sub. (3) other than sub. (3) (a) 2. or (ag) may be towed upon a  
25          highway during hours of darkness by a vehicle that is not equipped to activate lamps

1 required on the implement under sub. (3) (a) 2. or (ag) if the implement is equipped  
2 with all of the following and all of the following are lighted:

3 (a) At least 2 auxiliary lamps, which may be fixed or moveable, mounted on the  
4 extremities of the width of the implement, that otherwise meet the requirements for  
5 warning lamps specified in sub. (3) (a) 2. except the requirement that the lamp flash  
6 simultaneously with the warning lamps on the towing vehicle, except that, if the  
7 agricultural implement is not symmetrical, the implement may be equipped with one  
8 auxiliary lamp that meets the requirements specified in sub. (3) (a) 2. for  
9 circumstances when one lamp is permitted.

10 (b) If the agricultural implement obscures the visibility of any tail lamp on the  
11 towing vehicle when viewed from the driver's seat of a vehicle following, at least one  
12 auxiliary lamp, which may be fixed or moveable, that meets the requirements for tail  
13 lamps specified in sub. (3) (a) 1.

14 (7) In addition to any other lamp required under this section, an agricultural  
15 vehicle or agricultural implement may be equipped with a flashing, oscillating, or  
16 rotating amber light or a 360-degree flashing amber strobe light.

17 (8) The department shall establish by rule design, type, or performance  
18 standards for any lamp, reflector, or other lighting device or visibility material  
19 required under this section, and these standards shall comply with applicable  
20 standards established by the American Society of Agricultural Engineers or the  
21 Society of Automotive Engineers or both. Any lamp, reflector, or other lighting device  
22 or visibility material required under this section shall meet the design, type, or  
23 performance standards established by the department.

24 **SECTION 5.** 347.24 (title) of the statutes is amended to read:

1           **347.24 (title) Lamps and reflectors on certain nonmotor vehicles and**  
2 **equipment.**

3           **SECTION 6.** 347.24 (1) (a) and (am) of the statutes are amended to read:

4           347.24 (1) (a) Except as provided under ~~pars.~~ par. (b) and (e) s. 347.225, no  
5 person may operate on a highway during hours of darkness any implement of  
6 husbandry or any other vehicle not specifically required by law to be equipped with  
7 lamps or other lighting devices unless such implement or vehicle is equipped with  
8 at least 2 lighted lamps or lanterns exhibiting a white light visible from a distance  
9 of 500 feet ahead and 2 lighted lamps or lanterns exhibiting a red light visible from  
10 a distance of 500 feet to the rear or, as an alternative to the red lamps or lanterns,  
11 2 red reflectors mounted as specified in s. 347.18 and meeting the visibility  
12 requirements of s. 347.19 may be displayed on the rear of such vehicle or implement  
13 of husbandry. If the implement or vehicle is an agricultural implement, as defined  
14 in s. 347.225 (1) (a), or agricultural vehicle, as defined in s. 347.225 (1) (b), that was  
15 manufactured on or after the first day of the 13th month beginning after the effective  
16 date of this paragraph .... [revisor inserts date], it shall comply with the requirements  
17 of s. 347.225.

18           (am) ~~No~~ Except as provided in s. 347.225, no person may operate on a highway  
19 during hours of darkness any implement of husbandry that extends 4 feet or more  
20 to the left of the center line of its towing vehicle unless the implement is equipped  
21 with an amber reflector meeting the visibility requirements of s. 347.19 and mounted  
22 on the left side, facing forward, so as to mark the extreme width of the implement to  
23 drivers of oncoming vehicles. If the implement of husbandry is an agricultural  
24 implement, as defined in s. 347.225 (1) (a), or agricultural vehicle, as defined in s.  
25 347.225 (1) (b), that was manufactured on or after the first day of the 13th month

1 beginning after the effective date of this paragraph .... [revisor inserts date], it shall  
2 comply with the requirements of s. 347.225.

3 **SECTION 7.** 347.24 (1) (c) of the statutes is renumbered 347.225 (9) and  
4 amended to read:

5 347.225 (9) ~~An implement of husbandry which~~ Notwithstanding any other  
6 provision of this section, an agricultural vehicle that is an all-terrain vehicle need  
7 only comply with the lamp requirements established under s. 23.33 (6).

8 **SECTION 8.** 347.245 (1), (4) and (5) of the statutes are amended to read:

9 347.245 (1) After January 1, 1970, no person may operate on a highway, day  
10 or night, any vehicle or equipment, any animal-drawn vehicle, or any other  
11 machinery, including all road machinery, that usually travels at speeds of less than  
12 25 miles per hour or any vehicle operated under a special restricted operator's license  
13 issued under s. 343.135, unless there is displayed on the most practicable visible rear  
14 area of the vehicle or combination of vehicles, a slow moving vehicle (SMV) emblem  
15 as described in and displayed as provided in sub. (2). Any towed vehicle or machine  
16 is exempt from this provision if the towing vehicle is visible from the rear and is in  
17 compliance with this section. All road machinery is excluded when it is engaged in  
18 actual construction or maintenance work either guarded by a flagman or clearly  
19 visible warning signs. Except as provided in s. ss. 347.21 (1) and 347.225, the  
20 requirement of the emblem shall be in addition to any lighting devices required or  
21 permitted by law. Mopeds and motor bicycles are excluded from the provisions of this  
22 section unless they are operated under a special restricted operator's license issued  
23 under s. 343.135. Electric personal assistive mobility devices are excluded from the  
24 provisions of this section. The SMV emblem need not be displayed on vehicles  
25 moving directly across the highway.

1           (4) Except as provided in s. ss. 347.21 (1) and 347.225, no person shall display  
2 such emblem on any vehicle or equipment not specified in sub. (1).

3           (5) This Except as provided in s. 347.225, this section does not apply to any  
4 vehicle or combination of vehicles to the left rear of which is attached a yellow or  
5 amber flashing light at least 4 inches in diameter.

6           **SECTION 9.** 347.27 (1m) of the statutes is created to read:

7           347.27 (1m) No person may park or leave standing an agricultural vehicle, as  
8 defined in s. 347.225 (1) (b), or an agricultural implement, as defined in s. 347.225  
9 (1) (a), that was manufactured on or after the first day of the 13th month beginning  
10 after the effective date of this subsection .... [revisor inserts date], whether attended  
11 or unattended, upon a roadway or the shoulder immediately adjacent thereto during  
12 hours of darkness unless the vehicle or implement is equipped as required under s.  
13 347.225 and satisfies the requirements for other vehicles specified in subs. (1) and  
14 (2).

15           **SECTION 10.** 347.27 (3) of the statutes is amended to read:

16           347.27 (3) In this section, "vehicle" includes farm tractors and self-propelled  
17 farm implements, implements of husbandry, animal-drawn vehicles and road  
18 machinery, but not agricultural vehicles, as defined in s. 347.225 (1) (b), or  
19 agricultural implements, as defined in s. 347.225 (1) (a), that were manufactured on  
20 or after the first day of the 13th month beginning after the effective date of this  
21 subsection .... [revisor inserts date].

22           **SECTION 11.** 348.08 (2) of the statutes is amended to read:

23           348.08 (2) Whenever any train of agricultural vehicles is being operated under  
24 sub. (1) (b), the train shall be equipped, as applicable, as provided in s. 347.21 (1m)  
25 and (2) or 347.225. Whenever any train of agricultural vehicles is being operated

1 under sub. (1) (d), the train shall be equipped, as applicable, as provided in s. 347.21  
2 (1) and (2) or 347.225. The trailer hitches of a train of agricultural vehicles shall be  
3 of a positive nature so as to prevent accidental release.

4 **SECTION 12. Nonstatutory provisions.**

5 (1) The department of transportation shall submit in proposed form the rules  
6 required under section 347.225 (8) of the statutes, as created by this act, to the  
7 legislative council staff under section 227.15 (1) of the statutes no later than the first  
8 day of the 4th month beginning after the effective date of this subsection, unless the  
9 secretary of administration requires the department to prepare an economic impact  
10 report under section 227.137 of the statutes for the proposed rules.

11 (2) Using the emergency rules procedure under section 227.24 of the statutes,  
12 the department of transportation shall promulgate the rules required under section  
13 347.225 (8) of the statutes, as created by this act, for purposes of implementing this  
14 act, for the period before the effective date of the rules submitted under subsection  
15 (1). The department shall promulgate these emergency rules no later than the first  
16 day of the 4th month beginning after the effective date of this subsection.  
17 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules  
18 may remain in effect until July 1, 2009, or the date on which permanent rules take  
19 effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the  
20 statutes, the department is not required to provide evidence that promulgating a rule  
21 under this subsection as an emergency rule is necessary for the preservation of the  
22 public peace, health, safety, or welfare and is not required to provide a finding of  
23 emergency for a rule promulgated under this subsection.

24 **SECTION 13. Effective dates.** This act takes effect on the first day of the 4th  
25 month beginning after publication, except as follows:

1           (1) The treatment of section 347.225 (8) of the statutes and SECTION 12 (1) and  
2           (2) of this act take effect on the day after publication.

3 (END)